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PTO/SB/21 (01-08)

Approved for use through 3/31/2008, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/827,559
	Filing Date	04/19/2004
	First Named Inventor	Yoshiki Katoh, et al.
	Art Unit	3744
	Examiner Name	John K. Ford
Total Number of Pages in This Submission	Attorney Docket Number	4041J-000859

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): English Information Sheet Regarding JP Pub. No. 2005- 207716; English translation of the allowed Japanese Claims; and, Return Receipt Postcard.		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.</td></tr></table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Harness, Dickey & Pierce, P.L.C.		
Signature			
Printed name	Michael J. Schmidt		
Date	July 21, 2008	Reg. No.	34,007

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Signature		Date	July 21, 2008

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/827,559
Filing Date: 04/19/2004
Applicant: Yoshiki Katoh, et al.
Group Art Unit: 3744
Examiner: John K. Ford
Title: HEAT EXCHANGER
Confirmation No.: 4409
Attorney Docket: 4041J-000859

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

Sir:

In response to the Office Action mailed May 30, 2008, Paper No./Mail Date 20080526, please consider the following.

The parent Japanese application was granted on April 7, 2008 and registered on May 16, 2008. Enclosed is an English Information Sheet identifying this information. Also enclosed is an English translation of the allowed Japanese claims.

Regarding the method Claims 23-25, MPEP 821.04(b) states that withdrawn process claims (process of making and/or using) which depend from an allowable product claim will be considered for rejoinder. Upon rejoinder of claims directed to a non-elected